

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Paz Einat et al.

Serial No.

10/618,143

Filed

July 11, 2003

For

ISOCITRATE DEHYDROGENASE AND USES THEREOF

1185 Avenue of the Americas New York, New York 10036

November 14, 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

TRANSMITTAL OF VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f) AND §1.27(c)

Quark Biotech, Inc., the assignee, submits herewith a Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(c) as **Exhibit 1**. This Verified Statement is signed by Judith Abrahams, the authorized official of the assignee of record, Quark Biotech, Inc.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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Beg. No. 28,678

John P. White Registration No. 28,678 Attorney for Applicants Cooper & Dunham LLP 1185 Avenue of the Americas New York, New York 10036 (212) 278-0400

Des Pirat et al	Attorney's
Applicant or Patentee: Paz Einat et al.	Docket No.: 67723-A/JPW/FH
Serial or Patent No.: 10/618,143 Filed or Issued: July 11, 2003	
Filed or Issued: July 11, 2003 Title of Invention or Patent: ISOCITRATE DEHYDROGE	NASE AND USES THEREOF
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VERIFIED STATEMENT (DECLARATION	N) CLAIMING
SMALL ENTITY STATUS UNDER 37 C.1	F.R. §1.9(f)
AND \$1.27(C) - SMALL BUSINESS	S CONCERN
AND \$1.27 (C) - SMALL BUSINESS	
I hereby declare that I am:	
the owner of the small business concern i	
X an official of the small business concern e concern identified below:	empowered to act on behalf of the
Name of Concern: Quark Biotech, Inc.	
Address of Concern: 10265 Carnegie Avenue	
Cleveland, Ohio 44106	
I hereby declare that the above identified small be small business concern as defined in 13 C.F.R. §121 §1.9 (d), for purposes of paying reduced fees under that the number of employees of the concern, including not exceed five hundred (500) persons. For purposes number of employees of the business concern is the affiscal year, of the persons employed by the business are affiliates of each other when, either concern controls or has power to control the other controls or has power to control the other with the small business concern identified above entitled ISOCITRATE DEHYDROGENASE AND USES THER	35 U.S.C. \$41(a) and \$41(b), in ng those of its affiliates, does of this verified statement, the verage number, over the previous iness concern on a full-time, eriod of the fiscal year, and er directly or indirectly, one er, or a third party or parties have been conveyed to and remain with regard to the invention
Asserthed in:	
the specification filed herewith X application serial no. 10/618,143 filed Ju patent no issued	ıly 11, 2003
patent noissued	
If the rights held by the above identified small bus each individual, concern or organization having ribelow and no rights to the invention are held inventor, who could not qualify as an independent in any concern which could not qualify as a small c.f.R. \$1.9 (d)* or as a nonprofit organization und	ghts to the invention is listed by any person, other than the ventor under 37 C.F.R. \$1.9(c)*,
Name:	
Address:	
700	Nonprofit Organization
Individual Small Business Concern _	Monte or denization

anore: Separate verified statements are required for each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. §1.27.

Small Entity/Small Business Concern Page -2-

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.28(b)*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: _ Title In Organization: _	Judith Abrahams, Ph.D. Vice President, Intellectual Property	
-ddress:		
Signature: Dat Of Signature:	Judih Alaraheus 23 July 2003	